

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JENNIE M. GARELLI,	:	<b>CASE NO. 3:11-CV-2326</b>
	:	
Plaintiff	:	(Magistrate Judge Smyser)
	:	
v.	:	
	:	
AMERICAN CANCER SOCIETY-	:	
EAST CENTRAL DIVISION, INC.,	:	
	:	
Defendant	:	

**ORDER**

**IT IS ORDERED** that for the reasons stated in the memorandum opinion, that the defendant's motion to dismiss is **GRANTED IN PART and DENIED IN PART**. Counts I and II of the amended complaint are **DISMISSED**. The defendant's motion as to Count III, claiming retaliation, is **DENIED**.

**/s/ J. Andrew Smyser**  
J. Andrew Smyser  
Magistrate Judge

Dated: May 31, 2012.